

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 00-53

Introduced by Council President Hirsch at the request of the County Executive

Legislative Day No. 00-28 Date October 3, 2000

AN ACT to delete one existing definition and add one new definition to Section II, Definitions; to repeal and reenact, with amendments, Subsection 5.02b, Existing Physical Conditions, and Subsection 5.02d, Computation (site plan), of Section V, The Preliminary Subdivision Plan And/Or Site Plan; and to repeal and reenact, with amendments, Subsection 6.01d, The Final Plat, of Section VI, The Final Subdivision Plan, of the Subdivision Regulations of Harford County, providing for revisions as needed to address the state-mandated Comprehensive Review of the Chesapeake Bay Critical Area Management Program.

By the Council, October 3, 2000

Introduced, read first time, ordered posted and public hearing scheduled

on: November 14, 2000

at: 7:10 p.m.

By Order: James E. Massey Jr., Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on November 14, 2000 and concluded on, November 14, 2000

James E. Massey Jr., Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that one existing
2 definition is deleted and one new definition is added to Section II, Definitions; that Subsection 5.02b,
3 Existing Physical Conditions, and Subsection 5.02d, Computation (site plan), of Section V, The
4 Preliminary Subdivision Plan And/Or Site Plan, be and it is hereby repealed and reenacted, with
5 amendments; and that Subsection 6.01d, The Final Plat, of Section VI, The Final Subdivision Plan, be
6 and it is hereby repealed and reenacted, with amendments, all of the Subdivision Regulations of
7 Harford County, all to read as follows:

8 **Subdivision Regulations**

9 **Section II. Definitions.**

10 **[2.06.1 BUFFER EXEMPT AREA.** Those areas as of December 1, 1985 where it can be
11 demonstrated that the existing pattern of residential, commercial, industrial, or recreational
12 development in the Critical Area prevents the Critical Area Buffer from fulfilling the functions set forth
13 in COMAR 27.01.09.01B for water quality and wildlife habitat and which are mapped buffer exempt
14 by the Department of Planning and Zoning.]

15 **2.06.1 BUFFER EXEMPT AREA.** AN AREA OFFICIALLY MAPPED BY THE COUNTY AND
16 APPROVED BY THE CRITICAL AREA COMMISSION AS A BUFFER EXEMPT AREA,
17 WHERE IT HAS BEEN DEMONSTRATED THAT THE EXISTING PATTERN OF
18 RESIDENTIAL, INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR RECREATIONAL
19 DEVELOPMENT IN THE CRITICAL AREA PREVENTS THE BUFFER FROM FULFILLING ITS
20 INTENDED FUNCTIONS FOR WATER QUALITY PROTECTION AND WILDLIFE HABITAT
21 CONSERVATION.

22 **Section 5.02.**

23 b. Existing Physical Conditions.

24 1. Boundary lines of the proposed subdivision, indicated in heavy outline, and
25 the acreage of the tract.

2. Field run or photogrammetric topographic contours, at five (5) foot intervals, referenced to the North American Vertical Datum 1988 (NAVD 88).

3. Soil types according to the Harford County Soil Survey (the location of soils with significant development constraints -- highly erodible soils, soils with severe septic constraints, hydric soils is less than forty thousand (40,000) square feet in extent and soils with hydric inclusions -- shall be identified).

4. Slopes of fifteen percent (15%) to twenty-five percent (25%).

5. Slopes greater than twenty-five percent (25%).

6. One hundred (100) year flood plain as identified in FEMA Flood Insurance Study.

7. Perennial and intermittent streams and tidal waters located on or adjacent to site.

8. Tidal wetlands.

9. Non-tidal wetlands on or adjacent to site as identified by existence of hydric soils or hydrophytic vegetation and any required buffers.

10. Mapped Natural Resources District and any required buffers.

[11. Chesapeake Bay Critical Area and any required buffers.]

11. LOCATION OF THE CHESAPEAKE BAY CRITICAL AREA BOUNDARY INCLUDING:

(A) TOTAL ACREAGE WITHIN THE CRITICAL AREA;

(B) LOCATION OF LAND USE MANAGEMENT AREAS AND THEIR ACREAGE;

(C) LOCATION OF ALL REQUIRED BUFFERS;

1 (D) AMOUNT OF FOREST COVER ON SITE AND AMOUNT OF
2 FOREST COVER TO BE REMOVED;

3 (E) AMOUNT OF EXISTING IMPERVIOUS SURFACE;

4 (F) AMOUNT OF PROPOSED IMPERVIOUS SURFACE;

5 (G) GROWTH ALLOCATION INFORMATION IF APPLICABLE.

6 12. Vegetative cover, particularly the location of forested areas on or adjacent to
7 the site and location of significant individual trees.

8 13. Plant and wildlife habitat that has been identified as of State or County
9 importance, on or adjacent to the site, including:

10 (a) Habitat of State Designated Endangered or Threatened Species and
11 Species in Need of Conservation.

12 (b) State designated Natural Heritage Areas.

13 (c) Anadromous fish propagation waters.

14 (d) Submerged aquatic vegetation, or other significant aquatic areas.

15 (e) Habitat areas of local significance.

16 (f) Colonial water bird nesting sites.

17 14. Location, widths of pavement and rights-of-way of all existing streets or
18 alleys adjoining the subdivision, or intersection any street that bounds it; railroads and utility rights-
19 of-way, parks and other public spaces.

20 15. Names of all existing streets.

21 16. Location and description of all existing public utilities such as transmission
22 towers, pipe lines, sewer, water, storm drains, gas, power, or telephone lines or cables.

23 17. Present zoning of the tract and of adjoining properties.

18. Location of all existing structures.

19. Location of wells, septic systems and septic reserve systems on or within one hundred (100) feet of site.

d. Computation (site plan).

1. Total site area.

2. Building floor area for each type of proposed use.

3. Percent of building ground coverage.

4. Percent of impervious surface.

5. Proposed water usage including fire flows, peak hourly demand and maximum day demand as required.

6. Sewage generation rate.

7. WITHIN THE CHESAPEAKE BAY CRITICAL AREA INFORMATION WILL BE REQUIRED AS SPECIFIED IN SECTION 5.02.B. ABOVE.

Section 6.01. The Final Plat.

d. It shall show the following graphic information:

1. Boundaries of the plat with accurate dimensions and bearings, and the acreage included.

2. One or more corners accurately tied by a system of bearings and distances to a monument of the Harford County system. Coordinates of said corners will be computed and shown in X (easting) and Y (northing) in the Maryland Coordinate System referenced to the North American datum 1983. The coordinate values may be in either feet or meters.

(This requirement may be waived by the Director of Planning for subdivisions of five or fewer lots with no corner within a one mile distance of the Harford County monument system as

traversed by public road.)

3. Names of adjoining property owners and adjoining roads.

4. Accurate location and width of all streets, alleys, easements, or other public or private ways, within or adjoining the plat (both existing and proposed), with the necessary engineering data such as lengths and bearings of all tangents, lengths of arcs, radii, internal angles, and points of curvature.

5. Accurate location of all lot lines within the plat showing dimensions and bearings or angles.

6. Building setback lines shown to scale with their dimensions.

7. All block and lot numbers.

8. Accurate location and descriptions of all monuments.

9. Identification of any areas to be dedicated or reserved for public use, or for the common use of property owners in the Subdivision.

10. Accurate location of any municipal, district, county, state or other boundaries within or closely related to the Subdivision.

11. Natural Resources District boundary, including any required buffers and areas of significant/special natural features to be left undisturbed.

12. Chesapeake Bay Critical Area boundar[y]IES, including required buffers, and areas of significant/special natural features to be left undisturbed. A NOTE SHALL ALSO BE INCLUDED SPECIFYING ANY SPECIAL CONDITIONS INCLUDING BUT NOT LIMITED TO LIMIT OF DISTURBANCE LINES, LIMITS ON IMPERVIOUS SURFACES, MITIGATION REQUIREMENTS, AND LANDSCAPING REQUIREMENTS.

13. One hundred (100) year floodplain easements.

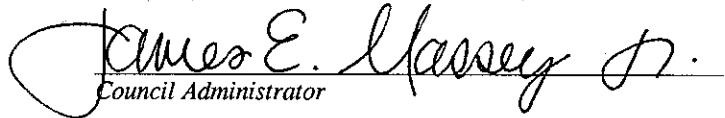
1 14. Signature Block. Spaces for signatures of the following County agencies
2 shall be shown on the final plat:

- 3 (a) State Health Department.
4 (b) Director of Parks and Recreation.
5 (c) Director of Public Works.
6 (d) Director of Planning and Zoning.
7 (e) County Attorney.
8 (f) County Executive.
9 (g) Director of Administration.

10 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date
11 it becomes law.

EFFECTIVE: January 16, 2001

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately available for
distribution to the public and the press.*


Council Administrator

(Title) Subdivision Regulations - Chesapeake Bay Critical Area

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James E. Massey Jr.
Council Administrator

[Signature]

Date 11-14-00Date 11/14/00

BY THE COUNCIL

Read the third time.

Passed: LSD 00-32 (November 14, 2000)

Failed of Passage: _____

By Order

James E. Massey Jr.
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 16th day of November 2000, at 3:00 p.m.

James E. Massey Jr.
Council Administrator

BY THE EXECUTIVE

James M. Harbison
COUNTY EXECUTIVE

APPROVED: Date November 17, 2000

BY THE COUNCIL

This Bill (No. 00-53), having been approved by the Executive and returned to the Council, becomes law on November 17, 2000.

James E. Massey Jr., Administrator

EFFECTIVE DATE: January 16, 2001